

ROCHESTER CITY COUNCIL

REGULAR MEETING

FEBRUARY 13, 2007

Present – President Giess, Councilmembers Conklin, Douglas, McFadden, Miller, Pritchard, Santiago, Stevenson - 8.

Absent - Councilmember Lightfoot - 1.

The Council President requested the Council to rise for a Moment of Silence.

Pledge of Allegiance to the Flag of the United States of America.

Recognition Ceremony

Retirement:

**DES**

\*Robert J. Barricelli

\*Dean L. George

**LIBRARY**

\*Joan Hopkins

**RFD**

\*Serafino C. Torregrossa

**RPD**

Joseph Davis

*\*Not attending meeting.*

APPROVAL OF THE MINUTES

By Councilmember Douglas

RESOLVED, that the minutes of the Regular Meeting of January 16, 2007 be approved as published in the official sheets of the proceedings.

Passed unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Quarterly Reports – Professional Services & Delinquent Receivables 3873-7

Quarterly Reports – Schedule of Revenues & Expenditures & Claims Reports 3874-7

THE COUNCIL PRESIDENT --- PRESENTATION AND REFERENCE OF PETITIONS AND REMONSTRANCES.

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THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

Approving An Increase In The Pavement Width Of Royleston Road Between Merchants Road And North Winton Road Int. No. 43 No speakers.

Approving An Increase In The Pavement Width Of Delray Road Between Atlantic Avenue And Drexmore Road Int. No. 75 No speakers.

REPORTS OF STANDING COMMITTEES  
AND ACTION THEREON

By Councilmember Conklin  
February 13, 2007

To the Council:

The Housing And Community Development Committee recommends for adoption the following entitled legislation:

Int. No. 33 - Authorizing The Sale Of Real Estate, Release Of A Covenant And Amending Ordinance No. 2005-250, As Amended

Int. No. 34 - Authorizing Agreements For The Housing Opportunities For Persons With AIDS Program And Amending Ordinance No. 2005-44

Int. No. 35 - Amending The 2006-07 Budget For The Demolition Program

Int. No. 36 - Authorizing An Agreement For The Rehabilitation Of 250 South Avenue

Int. No. 37 - Authorizing An Agreement For Lead Poisoning Prevention Services

Int. No. 38 - Approving A Lease For Office Space For The Swillburg Neighborhood Association

Int. No. 39 - Resolution Approving Appointment To The Rochester Public Library Board Of Trustees

Int. No. 40 - Determinations And Findings Relating To The Acquisition Of 286 Berlin Street As Part Of The Rochester City School District Service Center Expansion And Reconfiguration Project

Int. No. 6 - Authorizing The Acquisition By Negotiation Or Condemnation Of 286 Berlin Street For The Rochester City School District

The following entitled legislation is being Held in committee:

Int. No. 76 - Authorizing A Trial Real Estate Investor Bulk Sale Program

Respectfully submitted,  
Carolee A. Conklin  
Benjamin Douglas  
Gladys Santiago *(Did not vote on Introductory No.'s 37 & 38)*  
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

Tuesday, February 13, 2007

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-30  
Re: Sale of Real Estate

Transmitted herewith for your approval is legislation approving the sale of three properties. Staff has audited City records to ensure that purchasers do not own other properties with code violations or delinquent taxes. The records of the Division of Code Enforcement were also audited to ensure that purchasers have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first sale is two vacant lots that are being sold for their combined appraised value. The parcels are part of a larger site that will be utilized for the construction of an affordable housing complex.

The next property is a structure that was sold at the May 10, 2006 Public Auction. The purchaser will be required to rehabilitate the structure within nine months of closing.

The last property is a vacant lot that was sold at the May 10, 2006 Public Auction, subject to the acceptance of a development proposal. The purchaser will be required to fence and landscape the parcel and combine it with his adjoining property.

All City taxes and other charges, except water charges, against properties being sold by the City will be canceled on the first day of the month following adoption of the ordinance because either the City has agreed to convey the properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-12

Ordinance No. 2007-30  
(Int. No. 33, As Amended)

Authorizing The Sale Of Real Estate, Release Of A Covenant And  
Amending Ordinance No. 2005-250

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the negotiated sale of the following parcel of vacant land with proposal:

Address	SBL#	Lot Size	Price	Purchaser
149&161 Palm St	090.34-2-43&42	100x116	\$34,800	[Norstar Development USA, L.P.] <u>Eastman Commons Housing Development Fund Corporation, or an affiliated entity</u> *

\*Officer[s]: [Richard L. Higgins] David J. Agostinelli - President [; Gary S. Silver - Board Member; Neil Brown - Board Member]

Section 2. The Council hereby approves the sale of the following parcel of improved property by regular auction:

Address	SBL #	Lot Size	Price	Legal Use	Purchaser
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225 Fulton Ave      105.35-1-15      38x82      \$9,000      2 Family      David Mankowski

Section 3. The Council hereby further approves the sale of the following parcel of vacant land with proposal through regular auction:

Address	SBL #	Lot Size	Price	Purchaser
126-132 Rohr St	106.43-2-53.1&54	40x129	\$1,100	David McMill[i]on, Jr.

Section 4. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 5. Ordinance 2005-250, relating to an amendatory in lieu of tax agreement for the Crossroads Apartments, 125 St. Paul Street (aka 91 St. Paul Street, SBL #106.79-1-64), as amended, is hereby further amended by authorizing the Mayor to enter into a further amendatory in lieu of tax agreement with Andrews Terrace Housing Development Fund Corporation upon the same terms and conditions as the original amendatory agreement, and by authorizing pursuant to Section 577 of the New York State Private Housing Finance Law that the parcel at 125 St. Paul Street shall be exempt from real property taxes until 2045, after which time the apartments shall be subject to full taxation.

Section 6. The Council hereby further approves the release of a covenant requiring 118 Colby Street to be combined with 102 Colby Street, thereby allowing 118 Colby Street to be combined with the adjacent parcel at 108 Colby Street.

Section 7. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-31  
Re: Housing Opportunities for Persons  
With AIDS Program

Transmitted herewith for your approval is legislation establishing maximum compensation for agreements for projects funded through the 2006-07 federal Housing Opportunities for Persons With AIDS (HOPWA) Program, as follows:

<u>Organization</u>	<u>Amount</u>	<u>Number of Households</u>
AIDS Rochester, Inc.	\$361,906	52
Diocese of Rochester - Catholic Charities	<u>221,811</u>	92
Total	\$583,717	

The 2006-07 HOPWA allocation of \$599,000, included in the 2006-07 Consolidated Community Development Action Plan, will be used to fund these agreements. A total of \$17,970 to cover administrative costs will be financed from the 2006-07 Budget of the Department of Recreation and Youth Services. Of this amount, \$15,283 is the remainder of this year's HOPWA allocation; \$2,686 of this amount is from unexpended HOPWA funds from Ordinance 2005-44.

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The HOPWA program provides housing assistance services, long-term rent subsidies, and short-term emergency rent and utility assistance, to meet the housing needs of persons with AIDS and related diseases. Data about the most recent full program year is attached.

Since 1999, funds for these programs have been allocated to the City as part of the HUD consolidated entitlement program. At that time, a review of the housing needs and available housing services for people with AIDS was conducted. Organizations that had received HOPWA funds in the past, and other agencies that serve people with AIDS, were surveyed. The review resulted in the recommendation that the annual grants to the organizations be continued.

Other providers have been sought, and, in 2006, one agency expressed interest in participation, but was unable to secure the required State funding. In the absence of inquiries from other qualified providers and funds for an updated survey, and with the good performance of current providers, it was decided that current providers be re-funded.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-13

Ordinance No. 2007-31  
(Int. No. 34)

Authorizing Agreements For The Housing Opportunities For  
Persons With AIDS Program And Amending Ordinance No. 2005-44

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for services under the Housing Opportunities for Persons With AIDS Grant Program:

<u>Organization</u>	<u>Amount</u>
AIDS Rochester, Inc.	\$361,906
Catholic Charities, Inc.	221,811

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$583,717, and of said amount, \$581,030 is hereby appropriated from Housing Opportunities for Persons With AIDS Grant Funds and \$2,686 is reappropriated from funds reduced in Section 4.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. Ordinance No. 2005-44, as amended by Ordinance No. 2005-280, appropriating funds and authorizing agreements for the Housing Opportunities for Persons With AIDS Grant Program, is hereby amended by reducing the amount authorized and appropriated therein for Catholic Charities, Inc. by the sum of \$2,686, which amount is reappropriated herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-32 And  
Ordinance No. 2007-33  
Re: Restore NY Communities Initiative

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Transmitted herewith for your approval is legislation relating to a \$2,300,000 grant from the Empire State Development Corporation (ESDC) through its Restore NY Communities Initiative Program. The legislation will:

1. Amend the 2006-07 Cash Capital Budget of the Department of Community Development by \$2,000,000 to reflect the receipt and use of a portion of this grant to partially finance the City Demolition Program for 2006-07; and
2. Establish \$300,000 as maximum compensation for an agreement with 250 South Development LLC for the rehabilitation of 250 South Avenue, to be funded from the grant.

Restore NY provides funds for the demolition, deconstruction, rehabilitation or reconstruction of vacant, abandoned, surplus or condemned residential and/or commercial buildings. The funds will be used for two projects:

1. \$300,000 to offset costs for the rehabilitation of 250 South Avenue, a three-story brick structure at the former Natatorium site, to include market rate housing and commercial space.
2. \$2,000,000 for the demolition of up to 135 properties. The structures have been assessed for possible re-use and demolition is recommended. The demolitions will be publicly bid.

The rehabilitation of 250 South Avenue will be financed as follows:

<u>Source</u>	<u>Amount</u>	<u>Use</u>	<u>Amount</u>
Bank financing	\$ 1,100,000	Acquisition	\$ 88,600
Equity	485,000	Construction	1,685,000
ESDC	<u>300,000</u>	Soft costs	<u>111,400</u>
Total	\$1,885,000	Total	\$1,885,000

Plans include: 2,740 square feet of commercial space on the first floor; 2,740 square feet of office or residential space on the second floor; two market-rate 1,370 square foot residential loft units on the third floor; and a new 2,155 square foot penthouse residential unit. Construction is anticipated to commence in March 2007 and be completed by December 2007.

City Council previously authorized the sale of 250 South Avenue to 250 South Development LLC in November 2005.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-14

Ordinance No. 2007-32  
(Int. No. 35)

#### Amending The 2006-07 Budget For The Demolition Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2006-191, the 2006-07 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$2,000,000, which amount is hereby appropriated from grant funds to be received from the Empire State Development Corporation through the Restore NY Communities Initiative Program to fund the 2006-07 Demolition Program.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

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Ordinance No. 2007-33  
(Int. No. 36)

Authorizing An Agreement For The Rehabilitation Of 250 South  
Avenue

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a grant agreement with 250 South Development LLC for the rehabilitation of 250 South Avenue.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$300,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from grant funds to be received from the Empire State Development Corporation through the Restore NY Communities Initiative Program.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-34  
Re: Agreement - Housing Council in the  
Monroe County Area, Inc.

Transmitted herewith for your approval is legislation establishing \$47,024 as maximum compensation for an agreement with the Housing Council in the Monroe County Area, Inc. for services related to the City LEAD Program. The agreement will be funded from the 2004 HOME Program authorized by Ordinance No. 2004-387 for the Lead Hazard Control Program.

A Request for Proposal (RFP) was issued in December 2006 to solicit agencies for landlord program application intake services to support the City LEAD Program. City LEAD provides financial assistance to owner-occupants and investor-owners to control lead hazards in pre-1978 housing.

The RFP specified the delivery of 75 completed applications over a one-year period. Proposals were received from four agencies - the Housing Council in the Monroe County Area; Action for a Better Community; NeighborWorks Rochester; and the Urban League of Rochester. The Housing Council (HC) is recommended based on price, quality of service, and experience. The HC has been delivering these services for the City since 2004. In 2006, the agency produced 82 completed applications, which represents a total of 132 housing units, and responded to over 600 landlords seeking an application for the program.

The HC will provide application intake services for the LEAD Program, and will deliver no fewer than eighty completed applications during this time. The HC will recruit applicants using existing Housing Council program resources including: a bi-lingual Housing Hotline, a Rental Registry, educational programs for investor-owners, and a Landlord "Expo", an annual event with approximately fifty vendors. The term of the agreement will be for one year.

The budget proposed by the Housing Council is as follows:

Direct Program Costs	
Personnel (Program Labor)	\$31,454
Fringe Benefits	9,750
Supplies and mailing costs	1,400
Indirect Program Costs	<u>4,420</u>
Total	\$47,024

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Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-34  
(Int. No. 37)

Authorizing An Agreement For Lead Poisoning Prevention Services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Housing Council in the Monroe County Area, Inc. for the continuation of lead poisoning prevention services.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$47,024, and said amount, or so much thereof as may be necessary, shall be funded from the appropriations made in Section 2 of Ordinance No. 2004-387.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-35  
Re: Lease - 846 South Clinton Avenue

Transmitted herewith for your approval is legislation authorizing a lease agreement with the Swillburg Neighborhood Association for the continued use of office space on the second floor of the City owned-property at 846 South Clinton Avenue. The City's NET Area D offices are located on the first floor of this property.

The Swillburg Neighborhood Association has been occupying approximately 500 square feet of space since 2005. The space is primarily used as a meeting area for the Association's Executive Committee.

The term of the lease will be for one year, beginning March 1, 2007, at an annual cost of \$1,000. Improvements to the space, including drywall, carpet, suspended ceilings and HVAC, were made by the Association at the beginning of the original term in 2005.

The annual rental amount will be satisfied through community services performed by the Neighborhood Association. These services include, but are not limited to, maintenance of garden projects, coordinating neighborhood social events and the neighborhood watch program.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-35  
(Int. No. 38)

Approving A Lease For Office Space For The Swillburg  
Neighborhood Association

BE IT ORDAINED, by the Council of the City of Rochester as follows:



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Section 1. The Mayor is hereby authorized to enter into a lease agreement with the Swillburg Neighborhood Association for the lease of office space on the second floor of the NET Area D Office building at 846 South Clinton Avenue, for a term of one year. The Swillburg Neighborhood Association shall be required to provide community services in the amount of \$1,000 to offset rent.

Section 2. The lease agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2007-5  
Re: Appointment - Rochester Public  
Library Board

Transmitted herewith for your approval is legislation confirming the appointment of Richard L. Hamilton, 230 Dartmouth Street, to the Rochester Public Library Board of Trustees. Mr. Hamilton will complete the unexpired term of Lydia Boddie-Rice who resigned in 2006. His term will expire December 31, 2009.

Mr. Hamilton's resume is on file with the City Clerk.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Resolution No. 2007-5  
(Int. No. 39)

Resolution Approving Appointment To The Rochester Public  
Library Board Of Trustees

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the appointment of Richard L. Hamilton, 230 Dartmouth Street, to the Rochester Public Library Board of Trustees for a term which shall expire on December 31, 2009. Mr. Hamilton shall replace Lydia Boddie-Rice, who has resigned.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-36  
Re: Determinations and Findings -  
286 Berlin Street

Transmitted herewith for your approval is legislation making the determinations and findings relating to the acquisition, by negotiation or condemnation, of 286 Berlin Street. Such determinations and findings are required by Article 2 of the NYS Eminent Domain Procedure Law.

A public hearing concerning the proposed acquisition was conducted on January 16, 2007. There was one speaker, who supported the acquisition.

Based upon the public hearing, the following determinations and findings are proposed:

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1. Project description - That the project includes the acquisition of one vacant lot on Berlin Street.
2. Project purpose - That the acquisition will permit the Rochester City School District to complete an expansion and reconfiguration of the District's Service Center located at 835 Hudson Avenue.
3. Project effect - That the project will improve the efficiency of the operations at the Center and will permit the District to replace aged facilities and address the need for increased storage space for new school buses.

If these determinations and findings are approved, the legislation authorizing the property acquisition may be considered.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-36  
(Int. No. 40)

Determinations And Findings Relating To The Acquisition Of 286  
Berlin Street As Part Of The Rochester City School District Service  
Center Expansion And Reconfiguration Project

WHEREAS, the City of Rochester proposes to acquire for use by the Rochester City School District the parcel at 286 Berlin Street as part of the District's Service Center Expansion and Reconfiguration Project at 835 Hudson Avenue, and

WHEREAS, the Council of the City of Rochester held a public hearing on January 16, 2007 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of this parcel,

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby makes the following determination and findings concerning the acquisition of this parcel as part of the Rochester City School District's Service Center Expansion and Reconfiguration Project:

Project Location: The City proposes the public acquisition of the following parcel:

<u>Address</u>	<u>SBL#</u>
286 Berlin Street	091.810-003-065

Public purpose and general effect:

1. The District would like to further its objectives for completion of the redevelopment of the District's Service Center by acquiring the above referenced property which is located amongst the previously acquired properties. The subject property consists of a vacant lot (40 feet by 82 feet). The subject property will be incorporated with the other previously acquired parcels and integrated as part of the reconfigured site plan. The parcel is an integral part of an efficient layout for future bus storage and the streetscape improvement plan.
2. The proposed acquisition will permit the Rochester City School District to complete an expansion and reconfiguration of the District's Service Center operations. The expansion and reconfiguration will improve the efficiency of the operations at the Center and will permit the District to replace aged facilities and address the need for increased storage space for new school busses. Additionally, the District will undertake streetscape improvements that will improve the overall look of the facility and its relationship with surrounding residential properties. There will be no negative environmental effects.

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Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-37  
Re: Acquisition - 286 Berlin Street

Transmitted herewith for your approval is legislation authorizing the acquisition, by negotiation or condemnation, of 286 Berlin Street for the Rochester City School District. Pertinent information regarding the acquisition parcel is as follows:

<u>Address</u>	<u>Owner</u>	<u>Lot Size</u>	<u>Type</u>	<u>Acquisition Amount</u>
286 Berlin St.	Natalie Webb	40 x 81.93	Vacant Land	\$400

The acquisition is part of the School District's capital improvement project for the transportation, maintenance, storehouse and food service operations center located at 835 Hudson Avenue.

The purchase amount was established through an independent appraisal prepared by Allen Fitzpatrick, SRA. The district is allocating \$3.35 million in bond funds for this project. This allocation includes money to cover the cost of this acquisition.

A public hearing is required.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-15

Ordinance No. 2007-37  
(Int. No. 6)

Authorizing The Acquisition By Negotiation Or Condemnation Of  
286 Berlin Street For The Rochester City School District

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the acquisition of the following parcel for use for the Rochester City School District Service Center at 835 Hudson Avenue:

<u>Address</u>	<u>SBL#</u>	<u>Owner</u>	<u>Lot Size</u>	<u>Type</u>	<u>Amount</u>
286 Berlin St.	091.810-003-065	Natalie Webb	40 x 81.93	Vacant Land	\$400

Section 2. The acquisition and necessary closing costs shall be funded by the City School District.

Section 3. In the event that said parcel cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for the acquisition of said parcel.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

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Councilmember Conklin moved to discharge Introductory No. 76 from committee.

The motion was seconded by Councilmember Douglas.

The motion was adopted by the following votes:

Ayes - President Giess, Councilmembers Conklin, Douglas, McFadden, Miller, Pritchard, Santiago, Stevenson - 8.

Nays - None - 0.

Councilmember Conklin moved to amend Introductory No. 76.

The motion was seconded by Councilmember Douglas.

The motion was adopted by the following votes:

Ayes - President Giess, Councilmembers Conklin, Douglas, McFadden, Miller, Pritchard, Santiago, Stevenson - 8.

Nays - None - 0.

#### TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2007-38

Re: Investor Bulk Sale Program

Transmitted herewith for your approval is legislation authorizing a trial sale program which will facilitate the transfer of multiple properties to qualified investors who have the ability to conduct the rehabilitation of a large number of properties within a twelve-month period. Surplus City-owned residential structures containing three units or less will be offered for sale to developers who are selected through a Request For Qualification process.

Under current Municipal Code and various legislation enacted by Council, investors are limited to the purchase of three City-owned properties for rehabilitation at any one time. This limit, established by Resolution 82-110, prevents purchasers from undertaking a greater number of projects than they can complete. However, it also restricts buyers who actually do possess the financial strength and expertise to complete more than three simultaneous repair projects.

The Investor Bulk Sale Program will allow pre-qualified participants to purchase any number of properties for which they can demonstrate the capacity to rehabilitate. Resolution 82-110 will remain in force for all public offerings of City real estate with the exception of this trial program. This program is consistent with the desire of the Administration to maintain and increase the inventory of properties on the tax roll.

Participants in the Investor Bulk Sale must be pre-qualified by means of an RFQ to be issued by the City and advertised at least once in an official newspaper of the City. Applicants must meet these requirements:

- Demonstrate financial strength to cover the purchase, rehabilitation and holding costs for multiple properties;
- Demonstrate construction knowledge/experience;
- Demonstrate capacity to conduct multiple projects simultaneously;
- Demonstrate presence of local management for the construction period and, if applicable, for management of rentals;
- Provide a listing of all real estate containing residential living units currently owned by the applicant;

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- Have an ethical approach;
- Not own any other property within the City for which there are delinquent taxes for a previous fiscal year, or other outstanding City charges;
- Not own other property within the City against which there are code violations, unless the applicant owns other property that is currently in the process of being rehabilitated, in which case the applicant must supply a statement from the NET Administrator indicating that the progress toward repairs and the quality of workmanship is satisfactory; and
- Meet all other provisions of Section 21-16 of the Municipal Code relative to eligibility of purchasers.

The City will review and select developers, and, based on the strength of their qualifications, determine the maximum number of residential units that each developer will be permitted to purchase. Developers will be notified in writing of the review decision. Following developer selection, any sales under this program will be submitted to City Council for approval. Structures will be sold in "as-is" condition through a sealed bid auction process. Interior inspections will be scheduled prior to the bid deadline.

This sale shall also be subject to the following terms and conditions:

- A) All bids must be submitted by a specified deadline, together with a deposit of \$1,000, or a deposit deemed appropriate by the Director of Real Estate, payable by cash, money order, or cashier's check, for each property they wish to purchase. The deposit is refundable to parties who are not the high bidder. The amount of the minimum bid and deposits collected may be changed at the discretion of the Director of Real Estate due to special circumstances of the properties being offered for sale.
- B) Within a time period established by the Director of Real Estate, the high bidder for each property must execute a property disposition agreement, and deliver a deposit of 25% of the purchase price, along with an in-lieu-of-tax payment covering a time period of approximately 12 months, to the Division of Real Estate. At this time, the high bidder must also apply for a Certificate of Occupancy. The initial \$1,000 deposit will be applied toward the amount owed. If the high bidder misses the deadline for payment of the 25% deposit, the high bidder shall forfeit, as liquidated damages, the initial amount deposited to the City to secure the bid. The Division of Real Estate shall then contact the second highest bidder, provided that developer has not already reached the purchase limit determined by the prequalification process.
- C) Successful bidders must conditionally close with the Law Department in a timely manner. At the conditional closing, the purchaser shall be required to deposit the balance of the purchase price with the City. From the date of conditional closing, the purchaser shall have, by contract, a twelve-month period to simultaneously repair each of the properties purchased, and correct all building code violations cited by the Bureau of NET. Where warranted, extensions may be granted, in writing, by the Division of Real Estate. In such cases, the successful bidder must pay to the City additional in-lieu-of-tax payments and any other applicable charges.
- D) After issuance of a Certificate of Occupancy, the City shall record the deed.
- E) In the event of cancellation for nonperformance of the contract, the purchaser shall forfeit 25% of the purchase price, and all in-lieu-of-taxes deposited with the City, as liquidated damages. Purchasers who have real estate sales canceled for nonperformance shall be barred from purchasing additional City property through any sale program for a period of three years.

The City of Rochester reserves the right to cancel this sale program due to insufficient response to the RFQ, lack of qualified participants, or insufficient property inventory. This trial program is proposed as a method of restoring surplus real estate to private ownership, taxable status, code compliance and productive use. The Division of Real Estate monitors sale contracts to ensure that purchasers correct all code violations prior to title transfer, and do not engage in flipping without rehabilitation.

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It is anticipated that the program will begin in March 2007, and that all purchase contracts will be completed by September 30, 2008. After completion and/or cancellation of all of the purchase contracts entered into through this sale method, the effectiveness of the Investor Bulk Sale Program will be evaluated.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-16

Ordinance No. 2007-38  
(Int. No. 76, As Amended)

Authorizing A Trial Real Estate Investor Bulk Sale Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Notwithstanding the provisions established for other real estate sales programs and the requirements of Resolution No. 82-110, the Council hereby approves the following guidelines for a trial Investor Bulk Sale Program:

- A. Surplus City-owned residential structures containing three units or less may be offered for sale to developers who are selected through a Request For Qualification process and who have the necessary resources to simultaneously conduct the rehabilitation of a large number of properties within a twelve-month period.
- B. Participants in the Investor Bulk Sale must be prequalified by means of an RFQ to be issued by the City. The RFQ shall be advertised at least once in an official newspaper of the City. Applicants must meet the following requirements:
  - 1. Demonstrate financial strength to cover the purchase, rehabilitation and holding costs for multiple properties;
  - 2. Demonstrate construction knowledge/experience;
  - 3. Demonstrate the capacity to conduct multiple projects simultaneously;
  - 4. Demonstrate presence of local management for the construction period and, if applicable, for management of rental units;
  - 5. Provide a listing of all real estate containing residential units currently owned by the applicant;
  - 6. Have an ethical approach;
  - 7. Not own any other properties within the City for which there are delinquent taxes for a previous fiscal year, or other outstanding City charges;
  - 8. Not own other properties within the City against which there are code violations, unless the applicant owns other property that is currently in the process of being rehabilitated, in which case the applicant must supply a statement from the NET [administrator] Director indicating that the progress toward repairs and the quality of workmanship is satisfactory; and
  - 9. Meet all other provisions of Section 21-16 of the Municipal Code relative to eligibility of purchasers.
- C. Upon review of the submissions, the Director of Real Estate shall select developers, and determine the maximum number of residential units that each developer will be permitted to purchase, based on the strength of their qualifications. Developers will be notified of their acceptance in writing,

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and informed of the maximum number of residential units they may purchase. Following developer selection, neighborhood groups shall be asked to comment prior to submission to City Council. City Council will be asked to authorize sale of any and all structures on the sale list to any of the approved developers. Structures will be sold in an “as-is” condition through a sealed bid auction process. Interior inspections will be scheduled prior to the bid deadline.

D. The sales shall also be subject to the following terms and conditions:

1. All bids must be submitted by a specified deadline, together with a deposit of \$1,000, or a deposit deemed appropriate by the Director of Real Estate, payable by cash, money order, or cashier's check, for each property to be purchased. The deposit shall be refunded to parties who are not the high bidder. The amount of the minimum bid and deposits collected may be changed at the discretion of the Director of Real Estate due to special circumstances of the properties being offered for sale.
2. Within a time period established by the Director of Real Estate, the high bidder for each property must execute a property disposition agreement, and deliver a deposit of 25% of the purchase price, along with an in-lieu-of-tax payment covering a time period of 12 months, to the Division of Real Estate. At this time, the high bidder must also apply for a Certificate of Occupancy. The initial \$1,000 deposit will be applied toward the amount owed. If the high bidder misses the deadline for payment of the 25% deposit, the high bidder shall forfeit, as liquidated damages, the initial amount deposited to the City to secure the bid. The Division of Real Estate shall then contact the second highest bidder, provided that developer has not already reached the purchase limit determined by the prequalification process.
3. Successful bidders must conditionally close with the Law Department in a timely manner. At the conditional closing, the purchaser shall be required to deposit the balance of the purchase price with the City. From the date of conditional closing, the purchaser shall have by contract a twelve-month period to simultaneously repair each of the properties purchased, and correct all building code violations cited by the Bureau of NET. Where warranted, extensions may be granted, in writing, by the Division of Real Estate. In such cases, the successful bidder must pay to the City additional in-lieu-of-tax payments and any other applicable charges.
4. After issuance of a Certificate of Occupancy, the City shall record the deed.
5. In the event of cancellation for nonperformance of the contract, the purchaser shall forfeit 25% of the purchase price, or \$1,000, whichever is greater, and all in-lieu-of-taxes deposited with the City, as liquidated damages. Purchasers who have real estate sales canceled for nonperformance shall be barred from purchasing additional City property through any sale program for a period of three years.

E. The City of Rochester reserves the right to cancel this sale program due to insufficient response to the RFQ, lack of qualified participants, or insufficient property inventory. This trial program is proposed as a method of restoring surplus real estate to private ownership, taxable status, code compliance and productive use. The Division of Real Estate shall monitor sale contracts to ensure that purchasers correct all code violations prior to title transfer, and do not engage in resale without rehabilitation.

F. This Program may be initiated immediately, and the trial Program shall consist of one RFQ process which leads to approved purchases and rehabilitation, with contracts anticipated to be completed by September 30, 2008. At that time, the effectiveness of the Program shall be evaluated for possible continuation.

Section 2. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed by the following vote:

Ayes - President Giess, Councilmembers Conklin, Douglas, Pritchard, Santiago, Stevenson - 6.

Tuesday, February 13, 2007

None - Councilmembers McFadden, Miller - 2.

Vice President Santiago exit's the Council Chambers.

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By Councilmember Stevenson  
February 13, 2007

To the Council:

The Parks, Public Works & The Environment Committee recommends for Adoption the following entitled legislation:

Int. No. 41 - Establishing Maximum Compensation For A Professional Services Agreement For Resident Project Representation Services For The West Main Street Streetscape Project

Int. No. 42 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$910,000 Principal Amount Of Bonds Of Said City To Finance The Cost Of The Construction Of Certain Street Related Improvements For The West Main Street Streetscape Project, As Amended

The Parks, Public Works & The Environment Committee recommends for Consideration the following entitled legislation:

Int. No. 43 - Approving An Increase In The Pavement Width Of Royleston Road Between Merchants Road And North Winton Road

Int. No. 69 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance of \$685,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets As A Part Of The Atlantic Avenue (CSX Railroad Bridge To Culver Road) Improvement Project

Int. No. 70 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$554,000 Bonds Of Said City To Finance The Reconstruction Of Various Water Mains In The City Related To The Atlantic Avenue (CSX Railroad Bridge To Culver Road) Improvement Project

Int. No. 71 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$74,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Sewer Improvements Related To The Atlantic Avenue (CSX Railroad Bridge To Culver Road) Improvement Project

Int. No. 72 - Accepting The Donation Of Easements For The Atlantic Avenue (CSX Railroad Bridge To Culver Road) Improvement Project

Int. No. 73 - Authorizing Agreements And Appropriating Funds For The Atlantic Avenue (CSX Railroad Bridge To Culver Road) And Delray Road Improvement Projects

Int. No. 74 - Local Improvement Ordinance - Upgrading Of Landscape Features As A Part Of The Atlantic Avenue (CSX Railroad Bridge To Culver Road) Improvement Project

Int. No. 75 - Approving An Increase In The Pavement Width Of Delray Road Between Atlantic Avenue And Drexmore Road

Respectfully submitted,  
Robert J. Stevenson  
William F. Pritchard  
Gladys Santiago  
PARKS, PUBLIC WORKS & THE ENVIRONMENT COMMITTEE



Tuesday, February 13, 2007

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2007-39 And

Ordinance No. 2007-40

Re: West Main Street Streetscape Project  
(Jefferson Avenue to Broad Street)

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with Bergmann Associates, 200 First Federal Plaza, for Resident Project Representation Services; and authorizing the issuance of bonds totaling \$910,000 and the appropriation of the proceeds thereof to finance construction of the project and the agreement with Bergmann Associates.

The \$1.6 million project, designed by Bergman Associates as authorized by Council in August 2004, is intended to support and enhance economic development on West Main Street between Jefferson Avenue and Broad Street through streetscape improvements. A streetscape master plan was developed for the entire project corridor. Construction improvements will be focused on the Susan B. Anthony Historic District (Madison Street to Canal Street) with select improvements extending west to Jefferson Avenue and east to Broad Street.

The improvements include: new north side exposed aggregate sidewalks; brick accent strips along the curb edge; historic themed lighting Canal Street to Madison Street; King Street narrowing at West Main; Litchfield Street narrowing at West Main; West Main narrowing at Canal Street; recessed parking spaces at 601 W. Main; tree and grate replacements; new brick historic district piers; Heritage Trail inlaid stripe; commemoration of the site of the former Genesee Valley Canal with a unique sidewalk pavement treatment and historic marker, and; replacement of select curb sections.

The project also includes several additional alternate features, including: a bus shelter; the Susan B. Anthony vote site memorial; recessed parking ornamental surface treatment; planters; cleanup and landscaping of the vacant 486 W. Main Street site; inlaid bronze historic marker; and special crosswalk treatment.

Previous Council authorizations related to this project include: Ordinance No. 2006-119 authorized pavement width changes to West Main Street and King Street and acceptance of a permanent easement for sidewalk purposes; Ordinance No. 2006-353 authorized appropriation of \$250,000 in reimbursements from the New York State Department of Transportation; and Ordinance No.2006-354 authorized changes in the pavement width on Litchfield Street to accommodate installation of an ADA accessible ramp at 480 West Main Street.

Bergmann Associates was selected to perform Resident Project Representation Services based on the quality of the team assigned to the project and their familiarity with the project.

Bids for construction of the project were received on January 9, 2007. The work will be performed by Gordon J. Phillips, Inc. at a cost of \$795,612, which is 26% less than the engineer's estimate. An additional \$264,388 will be allocated for contingencies and street lighting.

Funding for construction of the project is as follows:

<u>Source</u>	<u>Construction</u>	<u>RPR</u>	<u>Contingency</u>	<u>Total</u>
Bond	\$545,612	\$100,000	\$264,388	\$ 910,000
NYS Multi Modal	<u>250,000</u>	<u>0</u>	<u>0</u>	<u>250,000</u>
Total	\$795,612	\$100,000	\$264,388	\$1,160,000

The project has been presented to an advisory group (with representatives from the Susan B. Anthony Neighborhood Group, Freedom Way Business Association, Susan B. Anthony House, New Life Fellowship Church and NET and Sector offices) at several meetings. It is anticipated that construction of these improvements will begin in spring 2007 and be completed by year end.

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Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-39  
(Int. No. 41)

Establishing Maximum Compensation For A Professional Services  
Agreement For Resident Project Representation Services For The  
West Main Street Streetscape Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$100,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for resident project representation services for the West Main Street Streetscape (Jefferson Avenue to Broad Street) Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from a bond ordinance adopted for the Project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2007-40  
(Int. No. 42, As Amended)

Bond Ordinance Of The City Of Rochester, New York, Authorizing  
The Issuance Of \$910,000 Principal Amount Of Bonds Of Said City  
To Finance The Cost Of The Construction Of Certain Street Related  
Improvements For The West Main Street Streetscape Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the construction of new sidewalks, street lighting and [trees] other streetscape enhancements relating to the City's West Main Street Streetscape (Jefferson Avenue to Broad Street) Project (the "Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,250,000. The plan of financing includes the issuance of \$910,000 principal amount of bonds of the City, and said amount is hereby appropriated therefor, together with the application of \$90,000 bonds previously appropriated in Ordinance No. 2004-291 and \$250,000 in funds from the State of New York previously appropriated in Ordinance No. 2006-353, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$910,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in an amount not to exceed the estimated maximum cost. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a. 24 of the Law, is ten (10) years.

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Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2007-41  
Re: Royleston Road Public Improvement  
Project (Merchants Road to North  
Winton Road)

Transmitted herewith for your approval is legislation which authorizes a four-foot increase in the pavement width on Royleston Road, between Merchants Road and North Winton Road. This will increase the pavement width from 20 feet to 24 feet and will be accomplished within the existing right-of-way.

The Royleston Road project also includes reconstruction of the pavement, installation of new curbs, driveway aprons, replacement of sidewalks, catch basins, street lighting upgrades, topsoil and seed.

The project is being designed by the City of Rochester's Bureau of Architecture and Engineering Services of the Department of Environmental Services. It is anticipated that construction will begin in the Spring of 2007 with substantial completion by the Fall of 2007.

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A public meeting was held on November 15, 2006. A copy of the minutes is attached. The pavement width changes were endorsed at the December 19, 2006 Traffic Control Board meeting.

A public hearing on the pavement width changes is required.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-17

Ordinance No. 2007-41  
(Int. No. 43)

Approving An Increase In The Pavement Width Of Royleston Road  
Between Merchants Road And North Winton Road

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves an increase of four feet, from 20 feet to 24 feet, in the pavement width of Royleston Road, between Merchants Road and North Winton Road.

Section 2. Such changes and additional changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-42, Ordinance No. 2007-43,  
Ordinance No. 2007-44, Ordinance No. 2007-45,  
Ordinance No. 2007-46, Local Improvement Ordinance No. 1565  
And Ordinance No. 2007-47  
Re: Atlantic Avenue Public Improvement Project  
Phase II (CSX Railroad Bridge-Culver Road);  
and Delray Road Public Improvement Project  
(Atlantic Avenue-Drexmore Road)

Transmitted herewith for your approval is legislation related to two public improvement projects. This legislation will:

1. Appropriate \$50,000 from anticipated reimbursements from the Dormitory Authority of the State of New York (DASNY) to partially finance the cost of the street improvements as part of the Atlantic Avenue Phase II Public Improvement Project;
2. Authorize the issuance of bonds totaling \$685,000 and the appropriation of the proceeds thereof to partially finance the cost of the street improvements as part of the Atlantic Avenue Phase II Public Improvement Project;
3. Authorize the issuance of bonds totaling \$554,000 and the appropriation of the proceeds thereof to finance the cost of the water improvements as part of the Atlantic Avenue Phase II Public Improvement Project;
4. Authorize the issuance of bonds totaling \$74,000 and the appropriation of the proceeds thereof to finance the cost of the sewer improvements as part of the Atlantic Avenue Phase II Public Improvement Project;

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5. Authorize acquisition, by donation of three de minimus easements to accommodate installation of local enhancement improvements adjacent to the right-of-way;
6. Authorize a project participation agreement with PSB Limited, owner of the adjacent property, for the installation and maintenance of local enhancement improvements;
7. Appropriate \$48,000 from the Local Improvement Fund and the subsequent assessment of this amount against the adjacent properties (PSB Limited) to replenish the Fund to finance the cost of the local enhancement improvements;
8. Authorize agreements as necessary with CSXT, Inc., related to construction of improvements adjacent to lands along Atlantic Avenue owned by CSXT;
9. Establish \$221,000 as maximum compensation for a professional service agreement with FRA Engineering, P.C., Henrietta, New York, for Resident Project Representation (RPR) services related to the Atlantic Avenue Phase II Public Improvement Project and the Delray Road Public Improvement Project; and
10. Authorize a four foot increase in the pavement width on Delray Road, from 20 feet to 24 feet, between Atlantic Avenue and Drexmore Road within the existing right-of-way.

#### Atlantic Avenue Public Improvement Project

The Atlantic Avenue Improvement Project was designed by FRA Engineering, P.C. under agreements authorized by Council in 2004 and 2005. The Phase II features include: Rehabilitation or reconstruction of the pavement, intersection, drainage, curb, traffic signal, signage, sidewalk, landscaping including decorative fencing and screening along the CSX property, water system and other improvements. Construction of the Phase II improvements is being implemented as a City-administered, Federal-aid project. The federal aid was previously appropriated on July 12, 2005.

Bids for construction were received on January 24, 2007. The work will be performed by Villager Construction Inc., at a cost of \$1,790,225, which is 1.6 % more than the engineer's estimate. An additional \$250,775 will be allocated for contingencies which includes the cost of street lighting.

The costs for the categories of work for the project based upon the bid amount are as follows:

<u>Category</u>	<u>Construction</u>	<u>RPR</u>	<u>Contingency</u>	<u>Total</u>
Street	\$1,121,680.53	\$134,980.00	\$183,343.47	\$1,440,004.00
Water	455,261.55	52,860.00	45,878.45	554,000.00
Sewer	66,558.00	0.00	7,442.00	74,000.00
Traffic	106,713.92	10,160.00	10,126.08	127,000.00
LIO	<u>40,011.00</u>	<u>4,000.00</u>	<u>3,989.00</u>	<u>48,000.00</u>
Total	\$1,790,225.00	\$202,000.00	\$250,779.00	\$2,243,004.00

The cost of the street improvements will be financed from proceeds of the proposed street bond (\$685,000), Federal Highway Administration reimbursements (\$560,662), DASNY reimbursements (\$50,000), and Cash Capital (\$144,342). The cost of water improvements and sewer improvements will be financed from the bond issues proposed herein. The traffic improvements will be financed from Monroe County reimbursements (\$97,305) and from the Federal Highway Administration (\$29,695).

FRA Engineering was selected to perform RPR Services based on its familiarity with the project and ability to adhere to the time period specified by the City. The Atlantic Avenue Phase II Public Improvement Project portion of the cost of the professional service agreement with FRA will be financed from proceeds from the Street Bond (\$134,980), proceeds from the Water Bond (\$52,860), anticipated reimbursements from Monroe County (\$10,160), and the Local Improvement Fund (\$4,000).

The proposed easements will provide for the construction of local enhancement improvements on parcels adjacent to the project. The grantor, PSB Limited, will donate the easements to the City.

<u>Address</u>	<u>Owner</u>	<u>Square Feet</u>
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Pt of 625 Culver Road	PSB Limited	646
Pt of 625 Culver Road	PSB Limited	472
Pt of 593-613 Culver Road	PSB Limited	435

The proceeds of the proposed Local Improvement Ordinance will be used to finance the installation of improvements along PSB properties at 593-613 Culver Road and 625 Culver Road. This will unify and extend the landscape buffer treatment to be installed along the CSXT property. The amount of the local improvement will be proportionally assessed against the two PSB properties and will be repaid in two interest-free payments for each property. The first, totaling \$22,000 (\$7,150 for 593-613 Culver Road and \$14,850 for 625 Culver Road), will be included as a local assessment charge on the 2007-08 City tax bill. The final amount will be included as a local assessment on the first City tax bill following substantial completion of the project.

Construction of the Phase I improvements was completed last fall. It is anticipated that construction of the Phase II improvements will begin this spring and be substantially completed by Fall 2007.

The Atlantic Avenue Project was presented at a public meeting on April 27, 2006; the minutes of the meeting are on file in the City Clerk's Office.

#### Delray Road Public Improvement Project

The Delray Road Project is a curb-replacement project designed by the City Department of Environmental Services. Project features include the proposed four foot increase in the pavement width; installation of new curbs and driveway aprons; replacement of sidewalks in select areas; new catch basins; and topsoil and seeding.

Delray Road is located immediately adjacent to the Atlantic Avenue Project. It is anticipated that construction of improvements on Delray will begin this spring, and be substantially completed this Fall, similar to the schedule for the Atlantic Avenue Phase II improvements. Given the proximity and construction schedules of these projects, it is proposed that the agreement with FRA Engineering provide Resident Project Representation Services for both projects. The cost for the professional services for this project is \$19,000 and will be financed from residential street bonds (Ord. No. 2005-059) previously appropriated, as will the cost for construction of the Delray Road project, which is estimated at \$175,000.

The Delray Road Project was presented at a public meeting on July 24, 2006; the minutes of the meetings are on file in the City Clerk's Office. The pavement width changes were endorsed at the December 19, 2006 Traffic Control Board meeting.

A public hearing on the pavement width changes is required.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-18

Ordinance No. 2007-42  
(Int. No. 69)

Bond Ordinance Of The City Of Rochester, New York, Authorizing  
The Issuance Of \$685,000 Bonds Of Said City To Finance The Cost  
Of Construction And Reconstruction Of Certain Streets As A Part  
Of The Atlantic Avenue (CSX Railroad Bridge To Culver Road)  
Improvement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the construction and reconstruction of certain streets as a part of the Atlantic Avenue (CSX Railroad Bridge to Culver Road) Improvement Project in the City (the "Project"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs

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incidental thereto and the financing thereof, is \$1,440,004. The plan of financing includes the issuance of \$685,000 bonds of the City to finance said appropriation, and said amount is hereby appropriated therefor, together with the application of \$50,000 in anticipated reimbursements from the Dormitory Authority of the State of New York appropriated at this meeting, \$144,342 in current funds and \$560,662 in anticipated reimbursements from the Federal Highway Administration previously appropriated in Ordinance No. 2005-240, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$685,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in an amount not to exceed the estimated maximum cost. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a. 20(c) of the Law, is fifteen (15) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

Ordinance No. 2007-43  
(Int. No. 70)

Bond Ordinance Of The City Of Rochester, New York, Authorizing  
The Issuance Of \$554,000 Bonds Of Said City To Finance The  
Reconstruction Of Various Water Mains In The City Related To The  
Atlantic Avenue (CSX Railroad Bridge To Culver Road)  
Improvement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain water mains related to the Atlantic Avenue (CSX Railroad Bridge to Culver Road) Improvement Project in the City (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$554,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$554,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$554,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$554,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or



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- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

Ordinance No. 2007-44  
(Int. No. 71)

Bond Ordinance Of The City of Rochester, New York, Authorizing  
The Issuance Of \$74,000 Bonds Of Said City To Finance The Cost  
Of Construction And Reconstruction Of Certain Sewer  
Improvements Related To The Atlantic Avenue (CSX Railroad  
Bridge To Culver Road) Improvement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction and reconstruction of certain sewer improvements related to the Atlantic Avenue (CSX Railroad Bridge to Culver Road) Improvement Project in the City (the "Project"). The total estimated cost of said class of objects or purposes authorized hereby, including preliminary costs and costs incidental thereto and the financing thereof, is \$74,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$74,000 bonds of the City to finance said appropriation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$74,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$74,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.4 of the Law, is forty (40) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

Ordinance No. 2007-45  
(Int. No. 72)

Accepting The Donation Of Easements For The Atlantic Avenue  
(CSX Railroad Bridge To Culver Road) Improvement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the acceptance of the donation of permanent easements over approximately 646 and 472 square feet of the parcel at 625 Culver Road, SBL #122.22-1-34, and approximately 435 square feet of the parcel at 593-613 Culver Road, SBL #122.22-1-35, owned by PSB, LTD., for the construction and maintenance of landscape improvements as a part of the Atlantic Avenue (CSX Railroad Bridge to Culver Road) Improvement Project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2007-46  
(Int. No. 73)

Authorizing Agreements And Appropriating Funds For The Atlantic  
Avenue (CSX Railroad Bridge To Culver Road) And Delray Road  
Improvement Projects

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into such agreements with CSXT, Inc. as may be necessary for the construction of improvements adjacent to Atlantic Avenue as a part of the Atlantic Avenue (CSX Railroad Bridge to Culver Road) Improvement Project.

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Section 2. The Mayor is hereby further authorized to enter into an agreement with PSB Limited for the construction and maintenance of landscape improvements as a part of the Atlantic Avenue (CSX Railroad Bridge to Culver Road) Improvement Project.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. The sum of \$221,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and FRA Engineering, P.C., for resident project representation services related to the Atlantic Avenue (CSX Railroad Bridge to Culver Road) Improvement Project and Delray Road Improvement Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Of said amount, \$19,000 shall be funded from Bond Ordinance No. 2005-59, \$134,980 shall be funded from a bond adopted for street purposes, \$52,860 shall be funded from a bond adopted for water purposes, \$10,160 shall be funded from anticipated reimbursements from the County of Monroe for traffic improvements, and \$4,000 shall be funded from a Local Improvement Ordinance for landscape improvements for the Atlantic Avenue (CSX Railroad Bridge to Culver Road) Improvement Project.

Section 5. There is hereby appropriated from anticipated reimbursements from the Dormitory Authority of the State of New York the sum of \$50,000, or so much thereof as may be necessary, to fund construction of the Atlantic Avenue (CSX Railroad Bridge to Culver Road) Improvement Project.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1565  
(Int. No. 74)

Local Improvement Ordinance - Upgrading Of Landscape Features  
As A Part Of The Atlantic Avenue (CSX Railroad Bridge To Culver  
Road) Improvement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby authorizes the upgrading of landscape features as a part of the Atlantic Avenue (CSX Railroad Bridge to Culver Road) Improvement Project.

Section 2. The improvements and work described in Section 1 shall be constructed in accordance with the provisions of Chapter 10 of the Municipal Code and shall be done by contract.

Section 3. The limits of the District of Assessment for the improvements and work shall be the following properties. The Council hereby finds that the upgrading of said landscape features will benefit the parcels of property within the district described in proportion to the value of the improvements to each property, owned by PSB Limited, in proportions and amounts not to exceed the following:

<u>Address</u>	<u>SBL No.</u>	<u>Percent</u>	<u>Amount</u>
625 Culver Road	122.220-001-034	67.5	\$32,400
593-613 Culver Road	122.220-001-035	32.5	15,600

Section 4. The additional construction costs relating to such landscape features upgrading, in an amount not to exceed \$48,000, shall be assessed and billed as Special Assessments against the parcels of property within the district in two installments, without interest. Such amount shall be appropriated from the Special Assessments. Such assessments shall be billed on the regular tax bill and shall be due in one installment. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner. The first installment, in the amount of \$7,150 for 593-613 Culver Road and \$14,850 for 625 Culver Road, shall be billed on the 2007-08 tax bill, and the balance of the

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final certified local improvement amount shall be billed on the first City tax bill following substantial completion of the Project.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2007-47  
(Int. No. 75)

Approving An Increase In The Pavement Width Of Delray Road  
Between Atlantic Avenue And Drexmore Road

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves an increase of four feet, from 20 feet to 24 feet, in the pavement width of Delray Road, between Atlantic Avenue and Drexmore Road.

Section 2. Such changes and additional changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

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By Councilmember Douglas  
February 13, 2007

To the Council:

The Finance & Public Services Committee recommends for adoption the following entitled legislation:

Int. No. 45 - Establishing Maximum Compensation For A Professional Services Agreement For Image Updates For The 2008 Reassessment

Int. No. 46 - Establishing Maximum Compensation For A Professional Services Agreement For State Lobbying Services

Int. No. 47 - Authorizing An Agreement And Appropriating Funds For The Biz Kid\$ And Beyond Program

Int. No. 66 - Establishing Maximum Compensation For A Professional Services Agreement For Audit Services For The Workers' Compensation Program

Int. No. 67 - Amending The 2006-07 Budget To Provide For Salary And Wage Increases

Int. No. 68 - Authorizing An Agreement With The Town Of Brighton For Continuation Of Mutual Fire Assistance To West Brighton

The following entitled legislation is being Held in committee:

Int. No. 44 - Cancellation Of Taxes And Charges

Int. No. 58 - Local Law Amending The City Charter With Respect To Financial Disclosure Statements

Int. No. 59 - Local Law Amending The City Charter With Respect To The Chief Information Officer

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Int. No. 60 - Local Law Amending The City Charter With Respect To The Office Of Public Integrity

Int. No. 61 - Local Law Amending The City Charter With Respect To Units In The Office Of The Mayor

Int. No. 62 - Local Law Amending The City Charter With Respect To The Director Of Human Resource Management

Int. No. 63 - Local Law Amending The City Charter With Respect To The Emergency Communications Center Director

Int. No. 64 - Local Law Amending The City Charter With Respect To Actions To Restrain Nuisances

Int. No. 65 - Amending The Municipal Code With Respect To Abatement Of Code Violations

Respectfully submitted,  
Benjamin L. Douglas  
Carolee A. Conklin  
Dana K. Miller  
Gladys Santiago  
FINANCE & PUBLIC SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-48  
Re: Image Update Project for 2008  
Reassessment

Transmitted herewith for your approval is legislation establishing \$107,050 as maximum compensation for an agreement with Facet Technology Corporation to update property images for the City's 2008 reassessment. This agreement will be funded from the 2006-07 Cash Capital allocation.

The Department of Finance maintains digital images of all improved properties located within the City. The images are used primarily for assessment purposes but are shared and used by several City departments. The vast majority of images are more than eleven years old. The need for a comprehensive updating of the collection of digital images of City properties has been recognized and is reflected in the 2006-07 Capital Improvement Program.

The Department of Finance issued a Request for Proposal for the project. Four proposals were received and reviewed. The proposal submitted by Facet Technology Corporation will provide the most utility to the City at a reasonable cost.

Facet Technology Corporation will provide both the standard single static image of buildings and properties and a feature allowing the user to pan left and right to see three sides of the selected building. They will also include a feature allowing a virtual "drive" down the street looking at all the buildings and vacant lots in the neighborhood, including what is directly across the street from the subject property.

The attached proposal comparison grid identifies the key components of the proposals received. Facet Technology Corporation, using its standard package, can provide the desired product outcome at a cost of \$107,050. This is accomplished by fully utilizing the technology that is available only to Facet Technology Corporation. This makes the cost of upgraded services offered by Facet Technology Corporation the lowest of the qualified proposals.

The proposal from Pictometry Visual Intelligence of Henrietta, NY, while showing the lowest cost, provides only aerial images. Street level images are necessary for reassessment purposes. Facet Technology Corporation provides both.

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Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-19

Ordinance No. 48  
(Int. No. 45)

Establishing Maximum Compensation For A Professional Services  
Agreement For Image Updates For The 2008 Reassessment

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$107,050, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Facet Technology Corporation to update property images for the 2008 Reassessment. Said amount shall be funded from the 2006-07 Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-49  
Re: Agreement - Hinman Straub, State  
Lobbying Services

Transmitted herewith for your approval is legislation establishing \$43,200 as maximum compensation for an agreement with Hinman Straub, PC of Albany, for state lobbying services. The cost of this agreement will be funded from the 2006-07 Budget of the Mayor's Office. This agreement will cover the 2007 calendar year.

Hinman Straub was selected in 2006 through a Request for Proposal process; their initial contract was approved by Council in March 2006. The firm will continue to provide the following services:

1. Present and explain the City's legislative proposals to the City's Albany delegation, committee chairpersons, Senate and Assembly leaders, the Governor and administrative staff;
2. Arrange for the introduction of specific bills, their consideration by the appropriate committees in the Senate and Assembly and their approval by the Governor;
3. Identify and review all other bills that could affect the City and, as directed by the City, present comments concerning these bills;
4. Review and analyze the annual State budget with respect to its impact on the City;
5. Arrange and coordinate any necessary meetings between State and City officials;
6. Coordinate the above activities with the NYS Conference of Mayors and other "Big 6" cities, as necessary;
7. Work with state agencies and departments as necessary; and
8. Provide general advice on legislative and regulatory matters.

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Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-49  
(Int. No. 46)

Establishing Maximum Compensation For A Professional Services  
Agreement For State Lobbying Services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$43,200, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Hinman Straub, PC, for the provision of State lobbying services. Said amount shall be funded from the 2006-07 Budget of the Office of the Mayor.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-50  
Re: CDBG Appropriation - Biz Kid\$ and  
Beyond/Credit Education Bureau

Transmitted herewith for your approval is legislation appropriating \$28,900 from the General Community Needs allocation of the 2005-06 Community Development Block Grant and establishing \$13,200 as maximum compensation for an agreement with the Credit Education Bureau to help coordinate the Biz Kid\$ and Beyond program. The remaining funds will be used toward supplies, publications, and conventions as reflected in the attached budget.

The Credit Education Bureau will provide one-on-one mentoring for Biz Kid\$ graduates, creating and providing seminars, and assistance in recruiting and training youth participants and adult volunteers.

Since 1999, the Biz Kid\$ program has provided an opportunity for City youth to participate in an entrepreneurial program which teaches basic business skills, encourages youth enterprise and provides business start-up grants for graduates. Biz Kid\$ and Beyond is the second phase of the program that provides graduates of Biz Kid\$ an opportunity to further explore business topics and ideas. A new portion of the Biz Kid\$ and Beyond program will include pairing graduates with business mentors from the community to help students take further steps to starting their business, make positive connections in the community and increase their financial well being.

A program description is attached.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-20

Ordinance No. 2007-50  
(Int. No. 47)

Authorizing An Agreement And Appropriating Funds For The Biz  
Kid\$ And Beyond Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

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Section 1. The Mayor is hereby authorized to enter into an agreement with the Credit Education Bureau for the Biz Kid\$ and Beyond Program.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$13,200, and said amount, and an amount not to exceed \$15,700 for additional costs of the Program, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs allocation of the 2005-06 Community Development Program.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2007-51  
Re: Professional Services Agreement for  
Audit of Workers Compensation  
Third-Party Administration

Transmitted herewith for your approval is legislation establishing \$37,500 as maximum compensation for an agreement with Marsh USA Inc. of Buffalo, NY to conduct an audit of the Workers' Compensation claims review and payment processes that are managed by a third-party administrator on behalf of the City of Rochester. This agreement will be funded from the 2006-07 Budget for Undistributed Funds.

The City's Workers' Compensation program is self-insured. EM Risk Management, a POMCO Company, currently holds the contract for administration of claims and case management. EM (formerly doing business as Hilb Rogal & Hobbs and GOW Management) has held the contract since 1998.

This audit is intended to identify and test the controls exercised by EM to prevent overpayment of workers' compensation claims, to ensure efficient review of bills submitted by medical providers, and to ensure timely, accurate and complete recordkeeping according to New York State Workers' Compensation Law and City contract requirements.

The results of the audit will include a report of findings, observations and recommendations for cost-saving initiatives, process improvement strategies and efficiencies.

Bids for audit services were solicited, resulting in two proposals. Based on the specific criteria that was developed according to the audit objectives, Marsh USA Inc. has been selected as the most appropriate consultant to provide this service.

Specifically, Marsh USA Inc. has demonstrated the knowledge, experience and results from similarly performed audits that will assure a complete, detailed and action-oriented plan for the City to move forward with cost-control initiatives in Workers Compensation administration.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-51  
(Int. No. 66)

Establishing Maximum Compensation For A Professional Services  
Agreement For Audit Services For The Workers' Compensation  
Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:



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Section 1. The sum of \$37,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Marsh USA Inc. for audit services for the third party administration of the City's Workers' Compensation Program. Said amount shall be funded from the 2006-07 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-52  
Re: 2006-07 Budget Amendments -Wage  
and Salary Increase, Local Works  
Purchases and Debt Service

Transmitted herewith for your approval is legislation amending the 2006-07 Budget as follows:

1. Transfer \$4,251,600 from Contingency to various departmental budgets to reflect negotiated wage and salary increases for non-uniformed employees.
2. Amend Cash Capital by a total of \$2,050,000 by transferring \$700,000 from Contingency, and appropriating \$1,350,000 from the Local Works Fund Balance for an acceleration of equipment purchases and improvements.
3. Transfer \$261,000 from Contingency to Debt Service to cover higher than anticipated interest charges on the ferry loan.

#### Wage and Salary Amendment

When the 2006-07 Budget was adopted by the City Council in June 2006, salary and wage rates had not yet been established for employees represented by the following bargaining units: American Federation of State, County and Municipal Employees (AFSCME); the Civilian Bargaining Unit of the Rochester Firefighters Association (IAFF); the Civil Service Employees Association (CSEA) Rochester Public Library Part Time Employees; International Union of Operating Engineers (IUOE); and Rochester Police Locust Club, Inc. Further, no wage adjustment decision had been made for employees in the Administrative, Professional and Technical (APT) classification, employees in the Confidential classification, or non full-time employees. As result, special provision for possible increases for all of these employees was included in the Contingency Account.

Labor agreements with a wage increase of 2.75% for 2006-07 have now been negotiated with AFSCME, IAFF Civilian, CSEA, and IUOE. Negotiations with the Locust Club are in arbitration and are not included here. It has also been decided to provide a 2.75% increase in 2006-07 to employees in the Confidential classification and to non full-time employees. In order to contain costs, a comprehensive increase for APT employees was not provided for 2006-07, except for the creation of a new top salary step 2.75% higher than the previous one. The amounts by classification are as follows:

AFSCME	\$2,376,100
APT Authorization	650,900
Confidential Authorization	285,200
CSEA	45,300
IAFF Civilian	27,700
IUOE	14,700
Part Time, Temporary & Seasonal Allowance	187,000
Salary Benefits - Undistributed	<u>664,700</u>
Total	\$4,251,600

The costs described above will be financed through transfers from Contingency to Departmental Budgets as follows:

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Administration	
Mayor's Office	\$ 45,900
NET	99,000
Budget & Efficiency	44,800
Human Resource Management	45,000
Communications	<u>37,900</u>
Administration subtotal	\$ 272,600
Law	\$ 48,600
City Council & Clerk	37,100
Community Development	186,200
Economic Development	37,900
Emergency Communications	428,800
Environmental Services	1,383,000
Finance	271,500
Fire	94,800
Library	92,600
Police	361,600
Recreation & Youth Services	372,200
Undistributed Expense	<u>664,700</u>
Total	\$4,251,600

#### Local Works Cash Capital

The funds being transferred to Cash Capital will allow the purchase of ten dump trucks at an estimated per unit cost of \$175,000. These trucks were originally scheduled to be purchased in 2007-08. However, the current fleet has experienced serious corrosion problems. Appropriating these funds now will enable the procurement process to begin earlier than anticipated and ensure these trucks are available for service in 2007-08. This amendment will also fund the roof replacement of the salt shed, estimated at \$300,000. This roof has been identified by City Architectural Services as a high priority. The availability of these funds will allow the work to be completed before next winter.

#### Debt Service

These additional funds are required in Debt Service due to a higher than anticipated interest rate on the variable-rate ferry loan. The budget assumed a 5% interest rate; the actual rate for the payment due on February 15, 2007 is 6.473%.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-52  
(Int. No. 67)

#### Amending The 2006-07 Budget To Provide For Salary And Wage Increases

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2006-191, the 2006-07 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$4,251,600 from the Contingency Account to the following appropriations in order to fund salary and wage increases, by transferring the sum of \$700,000 from the Contingency Account to the Cash Capital Account and by increasing revenue estimates and appropriations to the Cash Capital Account by \$1,350,000, which amount is hereby appropriated from the Local Works fund balance, and by transferring the sum of \$261,000 from the Contingency Account to Debt Service:

City Council & Clerk	\$ 37,100
Administration:	272,600
Law	48,600
Community Development	186,200

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Economic Development	37,900
Emergency Communications	428,800
Environmental Services	1,383,000
Finance	271,500
Fire	94,800
Library	92,600
Police	361,600
Recreation & Youth Services	372,200
Undistributed Expense	<u>664,700</u>
Total	\$4,251,600
Cash Capital	\$2,050,000
Debt Service	\$ 261,000

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-53  
Re: Agreement with the Town of Brighton

Transmitted herewith for your approval is legislation authorizing an agreement with the Town of Brighton whereby the Rochester Fire Department will provide limited mutual assistance to the West Brighton Fire Protection District. In exchange for an annual fee of \$125,000, the RFD will provide six firefighters and apparatus when available for all calls classified as possible structure fire assignments, and at least four firefighters and apparatus for all automatic fire alarms at fifteen specified addresses on East River Road, East Henrietta Road and Corporate Woods in the Town of Brighton.

Information gathered from the Emergency Communications Department indicates that Rochester could expect to be dispatched to approximately ninety of these types of calls per year. Rochester would not respond to calls, other than those types listed above, unless requested through the Monroe County Mutual Aid Plan.

The proposed agreement will have an initial term of one year and will continue for up to three additional terms of one year each. The agreement will be reviewed annually, at which time either party may propose changes or request termination of the agreement. An agreement for these services was first authorized in 2002 (Ordinance No. 2002-306).

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-53  
(Int. No. 68)

Authorizing An Agreement With The Town Of Brighton For  
Continuation Of Mutual Fire Assistance To West Brighton

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Town of Brighton whereby the Rochester Fire Department will continue to provide mutual assistance to the West Brighton Fire Protection District on structural fire calls and automatic alarms from specified addresses. The agreement shall extend for a term not to exceed four years, except that either party may terminate the agreement at the end of each year upon written notice.

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Section 2. The agreement shall obligate the Town of Brighton to pay the sum of \$125,000 for the first year. For subsequent years, said amount may be changed through agreement of the Mayor and the Town Supervisor based upon the volume of calls to which the City responds.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Douglas moved to discharge Int. No. 44.

The motion was seconded by Councilmember Conklin.

The motion was adopted by the following votes:

Ayes - President Giess, Councilmembers Conklin, Douglas, McFadden, Miller, Pritchard, Stevenson - 7.

Nays - None - 0.

Councilmember Conklin moved to amend Int. No. 44.

The motion was seconded by Councilmember Douglas.

The motion was adopted by the following votes:

Ayes - President Giess, Councilmembers Conklin, Douglas, McFadden, Miller, Pritchard, Stevenson - 7.

Nays - None - 0.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2007-54  
Cancellation or Refund of Erroneous  
Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$31,550.00.

A total of four properties had code violations in the amount of \$29,900.00, 94.77% of the cancellations, that were incurred by a former owner.

One property is owned by a person with medical conditions. Code violations in the amount of \$1,650.00 or 5.23% of the total have been corrected by the property owner.

If this cancellation is approved, total cancellations thus far for 2006-07 will be \$410,829.02.

	<u>Accounts</u>	<u>Amounts</u>
City Council	82	\$346,168.69
Administrative	<u>170</u>	<u>64,660.33</u>
Total	252	\$410,829.02

These cancellations represent .178% of the taxes receivable as of July 1, 2006.

Respectfully submitted,  
Robert J. Duffy

Tuesday, February 13, 2007

Mayor

Ordinance No. 2007-54  
(Int. No. 44, As Amended)

Cancellation Of Taxes And Charges

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

- (a) Ownership of these properties recently transferred. The code violations associated with these properties were issued against the former owner. The charges remain unpaid and have been forwarded to the Municipal Code Violation Bureau for collection.

S.B.L.#	Class	Address	Tax Year	Amount Cancelled
090.640-0001-003	H	526 Augustine St.	2007	\$15,400.00
105.570-0003-029	H	315 Murray St.	2006	3,550.00
			2007	5,000.00
105.730-0001-064	H	210 Masseth St.	2007	3,500.00
106.330-0003-034	H	75 Watkin Ter.	2007	2,450.00

- (b) The [property is occupied by an owner with medical conditions and the code violations have been resolved with no further problems] tickets were issued erroneously against the following property.

S.B.L.#	Class	Address	Tax Year	Amount Cancelled
090.520-0001-024	H	133 Parkdale Ter.	2006	\$ 1,650.00
Grand Total				\$31,550.00

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

Councilmember Douglas moved to discharge Int. No.'s 59 thru 65.

The motion was seconded by Councilmember Conklin.

The motion was adopted by the following votes:

Ayes - President Giess, Councilmembers Conklin, Douglas, McFadden, Miller, Pritchard, Stevenson - 7.

Nays - None - 0.

TO THE COUNCIL  
Ladies and Gentlemen:

Int. No. 58, Local Law No. 2, Local Law No. 3,  
Local Law No. 4, Local Law No. 5, Local Law No. 6,  
Local Law No. 7 And Ordinance No. 2007-55

Tuesday, February 13, 2007

Re: Amendments to the City Charter and  
Municipal Code

Transmitted herewith for your approval is legislation authorizing several amendments to the City Charter required to reflect recent changes in the structure of the administration, and to accommodate changes regarding actions and proceedings in City and State Supreme Courts. These amendments are as follows:

1. Section 2-18, Code of Ethics. The list of those required to file financial disclosure statements will be updated to include new titles and new positions and deleting unused titles.
2. Section 3-12 Director of Information Systems. This section will be replaced in its entirety with a description of the duties for Chief Information Officer, a new position superceding the Director of Information Systems.
3. Section 3-13 Internal Auditor. This section will be replaced in its entirety with a description of the duties for the Director of the Office of Public Integrity, a new position superceding the Manager of Internal Audit.
4. Section 8C-5 Director of Personnel. The title will be replaced with Director of Human Resource Management to reflect the correct name of the bureau.
5. Section 8D-1 Emergency Communications Department. The term “director” will replace the term “manager” to reflect the correct title of the head of this department.
6. Section 9-21 of the Charter, Actions to restrain nuisances and Section 52-3 of the Municipal Code, Penalties for offenses. These sections are being amended to allow actions and special proceedings to restrain nuisances and code violations to be brought in either City Court or State Supreme Court. Section 9-21 of the City Charter currently allows actions to restrain nuisances to be brought in any court of competent jurisdiction. The amendment will add special proceedings to this authority, as a special proceeding is often the appropriate method to abate a nuisance. Section 52-3 of the Municipal Code allows equity actions or special proceedings to be brought in State Supreme Court to abate code violations. State law now also provides City Court with jurisdiction over such actions or proceedings, and the legislation will allow the City to enjoin and abate violations in City Court and Supreme Courts.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Introductory No. 58

LOCAL LAW AMENDING THE CITY CHARTER WITH RESPECT  
TO FINANCIAL DISCLOSURE STATEMENTS

BE IT ENACTED, by the Council of the City of Rochester as follows:

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending Section 2-18, Code of Ethics, by amending the list of persons required to file financial disclosure statements in Subsection G(1) thereof to read in its entirety as follows:

Mayor  
Candidate for Mayor  
Deputy Mayor  
Chief of Staff  
Assistant to the Mayor  
Member of City Council  
Candidate for City Council  
City Clerk  
Director of Budget and Efficiency

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Assistant Director of Budget and Efficiency  
Director of Human Resource Management  
Deputy Director of Human Resource Management  
Manager of Labor Relations  
Executive Secretary of the Civil Service Commission  
Director of Communications  
Deputy Director/Communications  
Corporation Counsel  
Deputy Corporation Counsel  
Municipal Attorney IV  
Municipal Attorney III  
Youth Intervention Supervisor  
NET Director  
NET Administrator  
NET Code Coordinator  
Director of the Office of Public Integrity  
Manager of Internal Audit  
Chief Information Officer  
Director of Information Systems  
Assistant Director of Information Systems  
Director of Finance  
Director of Accounting  
City Treasurer  
Deputy City Treasurer  
Assessor  
Deputy City Assessor  
Director of Parking Violations  
Purchasing Agent  
Commissioner of Community Development  
Deputy Commissioner of Community Development  
Director of Planning  
Director of Zoning  
Manager of Housing  
Manager/Plan Review/Building Inspection  
Director of Development Services  
Director of Real Estate  
Manager of Technical Services  
Commissioner of Economic Development  
Deputy Commissioner/Economic Development Department  
Director of Community and Economic Development Integration  
Manager of Business Development  
Manager of Downtown Development  
Municipal Parking Coordinator  
Commissioner of Environmental Services  
Deputy Commissioner of Environmental Services  
Chief of Security Operations  
Superintendent of Security  
City Engineer  
Managing Engineer/Street Design  
Managing Engineer/Construction  
Director of Operations  
Assistant Director of Operations  
Refuse Operations Manager  
Operations Manager  
Street Maintenance Manager  
Manager/Building Services  
Manager/Contract Services  
Manager/Customer Satisfaction  
Manager/Environmental Quality  
Managing Architect  
Senior Architect  
Senior Engineer/Mechanical

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Director of Water Bureau  
Managing Engineer/Water Design  
Senior Engineer/Water Design  
Manager/Water Distribution  
Manager/Water Production  
Fleet Service Manager  
Emergency Communications Center Director  
Deputy Director/Emergency Communications Department  
Chief of Police  
Deputy Police Chief  
Police Commander  
Police Captain  
Manager of Police Property  
Senior Property Clerk  
Property Clerk  
Fire Chief  
Executive Deputy Fire Chief  
Deputy Fire Chief  
Battalion Chief  
Commissioner of Recreation and Youth Services  
Deputy Commissioner of Recreation and Youth Services  
Director of Recreation/Leisure Services  
Manager of Human Services Planning  
Principal Staff Assistant

Persons occupying other positions, determined by the Mayor to be policy-making positions in a document transmitted to the Secretary of the Board of Ethics by December 31 of each year, shall also be required to file financial disclosure statements as prescribed herein.

Section 2. This local law shall take effect immediately.

Item held in committee.

Local Law No. 2  
(Int. No. 59)

Local Law Amending The City Charter With Respect To The Chief  
Information Officer

BE IT ENACTED, by the Council of the City of Rochester as follows:

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending Section 3-12, Director of Information Systems, to read in its entirety as follows:

Section 3-12. Chief Information Officer.

The Chief Information Officer shall identify and prioritize the delivery of the City's online services and information, document management systems, enterprise architecture and wireless strategies. He or she shall maintain effective communication between the City's information technology groups so as to maximize operating efficiencies and provide highly effective information technology services. The Chief Information Officer shall supervise all information technology operations and develop and oversee City information technology policies and procedures, the City's website, Geographic Information Systems, records management, telephone and related functions; and provide for the security of City information.

Section 2. This local law shall take effect immediately.

Passed unanimously.



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Local Law No. 3  
(Int. No. 60)

Local Law Amending The City Charter With Respect To The Office  
Of Public Integrity

BE IT ENACTED, by the Council of the City of Rochester as follows:

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending Section 3-13, Internal Auditor, to read in its entirety as follows:

Section 3-13. Director of the Office of Public Integrity.

The head of the Office of Public Integrity shall be the Director of the Office of Public Integrity. Under the supervision of the Mayor, he or she shall articulate the standards of business conduct for the City and shall coordinate the analysis, investigation and resolution of concerns and complaints involving City government operations. The Director shall oversee the Manager of Internal Audit and the internal audit staff, which shall develop and conduct an internal audit program on a timely basis. Such program shall examine the financial records and procedures of all city departments, bureaus and their subdivisions in accordance with accepted auditing principles and practices.

Section 2. This local law shall take effect immediately.

Passed unanimously.

Local Law No. 4  
(Int. No. 61)

Local Law Amending The City Charter With Respect To Units In  
The Office Of The Mayor

BE IT ENACTED, by the Council of the City of Rochester as follows:

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending Section 3-1, Mayor, by deleting the words “the Bureau of Information Systems, the head of which shall be the Director of Information Systems;” where they are contained in the third paragraph thereof, and by inserting in their place the words “a Chief Information Officer; an Office of Public Integrity, the head of which shall be the Director of the Office of Public Integrity; a Neighborhood Empowerment Team, the head of which shall be the Neighborhood Empowerment Team Director;”.

Section 2. This local law shall take effect immediately.

Passed unanimously.

Local Law No. 5  
(Int. No. 62)

Local Law Amending The City Charter With Respect To The  
Director Of Human Resource Management

BE IT ENACTED, by the Council of the City of Rochester as follows:

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending Section 8C-5, Administration, by deleting the words “Director of Personnel” where they are contained therein and by inserting in their place the words “Director of Human Resource Management”.

Section 2. This local law shall take effect immediately.

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Passed unanimously.

Local Law No. 6  
(Int. No. 63)

Local Law Amending The City Charter With Respect To The  
Emergency Communications Center Director

BE IT ENACTED, by the Council of the City of Rochester as follows:

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending Section 8D-1, Emergency Communications Department, by deleting the word “Manager” in each place that it is contained therein and by inserting in its place the word “Director”.

Section 2. This local law shall take effect immediately.

Passed unanimously.

Local Law No. 7  
(Int. No. 64)

Local Law Amending The City Charter With Respect To Actions To  
Restrain Nuisances

BE IT ENACTED, by the Council of the City of Rochester as follows:

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending Section 9-21, Actions to restrain nuisances, by adding the words “and special proceedings” after the word “Actions” in both the title and the body thereof.

Section 2. This local law shall take effect immediately.

Passed unanimously.

Ordinance No. 2007-55  
(Int. No. 65)

Amending The Municipal Code With Respect To Abatement Of Code  
Violations

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Section 52-3 of the Municipal Code, Penalties for offenses, as amended, is hereby further amended by amending Subsection A(2) and Subsection B thereof to read in their entirety as follows:

- A. (2) For violations returnable in the Municipal Code Violations Bureau, the penalties shall be as set forth in §\_13A-11 of the Municipal Code. Referral to the Municipal Code Violations Bureau shall not preclude subsequent referral of unabated violations to either City Court or State Supreme Court, and in said instances the courts shall have concurrent jurisdiction.

Every day of such violation may be held to constitute a separate offense.

- B. An action or special proceeding may be brought in either City Court or State Supreme Court seeking the Court’s equity jurisdiction to enjoin and abate the continued violation of the Municipal Code and the costs of said proceeding.

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Section 2. This ordinance shall take effect immediately.

Passed unanimously.

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By Councilmember McFadden  
February 13, 2007

To the Council:

The Public Safety Committee recommends for Adoption the following entitled legislation:

Int. No. 48 - Establishing Maximum Compensation For Professional Services Agreements For The Emergency Training And Information Network

Int. No. 49 - Authorizing An Agreement For The Motor Vehicle Theft And Insurance Fraud Prevention Program And Amending The 2006-07 Budget

Int. No. 50 - Establishing Maximum Compensation For A Professional Services Agreement For Data Analysis For Project IMPACT III

Int. No. 51 - Authorizing An Application and Agreement For A Buffer Zone Protection Program Grant And Amending The 2006-07 Budget

Int. No. 52 - Authorizing An Application And Agreement For A Metropolitan Medical Response System Program Grant And Amending The 2006-07 Budget

Int. No. 53 - Authorizing An Application And Agreement For A State Urban Area Supplemental Program Grant And Amending The 2006-07 Budget

Respectfully submitted,  
Dana K. Miller  
Robert J. Stevenson  
Gladys Santiago  
PUBLIC SAFETY COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Re: Ordinance No. 2007-56  
Emergency Training/Information  
Network

Transmitted herewith for your approval is legislation establishing \$11,220 as maximum annual compensation for a five-year agreement with Fire and Emergency Training Network, Carrollton, Texas, for the provision of programming services for the Fire Department's Emergency Training/Information Network (ETIN). The cost of this agreement will be funded from the annual budgets of the Fire Department, beginning with 2006-07.

Through a previous agreement with this firm, authorized by Council in July 2005, the City purchased programming for content creation for use on the ETIN. This new agreement will allow for the continued purchase of programming to be used on dedicated channels; a monthly instructors disk for Fire & Emergency Training Network and the Law Enforcement Training Network with program guides, lesson plans, testing materials and test keys; and personalized service and support including monitoring of the satellite dishes and all repairs and/or necessary replacement.

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Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-56  
(Int. No. 48)

Establishing Maximum Compensation For Professional Services  
Agreements For The Emergency Training And Information Network

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$11,220, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and the Fire and Emergency Training Network for programming services for the Emergency Training and Information Network for a term of five years. Said amounts shall be funded from the 2006-07 and subsequent Budgets of the Rochester Fire Department, contingent upon adoption of subsequent budgets.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Re: Ordinance No. 2007-57  
Motor Vehicle Theft and Insurance  
Fraud Prevention (MVTIFP) Grant  
Program

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services, for application for funding under the Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) grant program in the amount of \$100,000. Also requested is amendment of the 2006-07 Budget of the Police Department of \$25,000 to reflect the receipt and use of a portion of the grant funds. The remaining \$75,000 will be included in the 2007-08 Budget.

This grant is to be used for the reduction of auto theft and insurance fraud in the City by deploying Rochester police officers in high theft areas, and by increasing investigative efforts to arrest individuals who commit insurance fraud. The grant also may be used to train police officers in specialized anti-motor vehicle theft techniques and technology.

The most recent agreement for MVTIFP funding was authorized by City Council in February 2006. During the last grant period, over 2500 investigations of auto theft were opened, resulting in 880 arrests, and the recovery of more than \$8,000,000 in stolen vehicles. The term of the current grant is for one year beginning April 1, 2007. No matching funds are required.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-57  
(Int. No. 49)

Authorizing An Agreement For The Motor Vehicle Theft And  
Insurance Fraud Prevention Program And Amending The 2006-07  
Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

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Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for funding under the Motor Vehicle Theft and Insurance Fraud Prevention Program.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2006-191, the 2006-07 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$25,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2007-58

Re: Agreement - RIT for Crime Data  
Analysis for Project IMPACT III

Transmitted for your approval is legislation establishing \$40,000 as maximum compensation for an agreement with the Rochester Institute of Technology for crime data analysis related to Project IMPACT III. The cost of this agreement will be funded from the 2006-07 Budget of the Police Department, with Project IMPACT III grant funds authorized by Council through Ordinance No. 2006-339.

RIT criminal justice specialists will review and analyze City crime data and make recommendations on how, where and when to most effectively use the Project IMPACT resources to combat crime.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-58  
(Int. No. 50)

Establishing Maximum Compensation For A Professional Services  
Agreement For Data Analysis For Project IMPACT III

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$40,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Rochester Institute of Technology for data analysis under Project IMPACT III. Said amount shall be funded from the 2006-07 Budget of the Rochester Police Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2007-59, Ordinance No. 2007-60  
And Ordinance No. 2007-61

Re: Agreements - New York State Office  
of Homeland Security

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Transmitted herewith for your approval is legislation related to Homeland Security Funds through three programs, as follows:

Buffer Zone Protection Plan (BZPP) \$189,000

Authorize an agreement with the NYS Office of Homeland Security for the receipt and use of a BZPP grant, and amend the Cash Capital allocation of the 2006-07 Budget by \$189,000 to reflect the grant.

These funds will be used for project expenses at a site in Rochester with a pre-approved plan. In 2005, the City received a BZPP grant to develop protection plans for three community sites. This new grant continues the development of the plan into Stage 2 (target hardening) for one of these sites. Funds would be used to purchase equipment and materials required to bring the facility in compliance with the BZPP, to make the site less vulnerable to terrorist activity. For security reasons, public disclosure of the individualized site plans is strictly prohibited. The term of this grant is October 1, 2006 to September 30, 2008, and no matching funds are required.

Metropolitan Medical Response System Program (MMRS) \$232,330

Authorize an agreement with the NYS Office of Homeland Security for the receipt and use of a \$232,330 MMRS grant, and amend the 2006-07 Budget of the Fire Department by \$59,100 and 2006-07 Undistributed by \$8,200 to reflect portions of the grant. The remaining \$165,030, will be included in the 2007-08 proposed budget.

Rochester is one of 124 cities nationwide designated by the Federal government as an MMRS jurisdiction. Since 2000, the Rochester Fire Department has led this regional program whose purpose is to support local jurisdictions in the development and enhancement of emergency preparedness systems. The local project includes:

- Establishment and maintenance of a pharmaceutical stockpile and distribution network;
- Ability to track and monitor threats from chemical or biological agents;
- Increasing interoperable communications during an emergency event;
- Conducting a functional exercise testing overall preparedness; and
- Purchase of portable emergency ventilation equipment.

These efforts will continue to allow the City to improve and augment existing emergency preparedness plans and capabilities. Proactive efforts toward community preparedness are essential steps to effectively respond to and minimize the effects of any incident on responders and the community.

State Urban Area Supplemental Program (SUASP) \$280,000

Authorize agreements with the NYS Office of Homeland Security (OHS) and Monroe County for the receipt and use of \$280,000 in SUASP funds, and amend the Cash Capital allocation of the 2006-07 Budget by \$280,000 to reflect the grant.

These funds will be used for an access control system for City Hall and the Public Safety Building that is compatible with the system used in County buildings. Exterior surveillance equipment will also be purchased and installed to improve monitoring capabilities surrounding the buildings. In addition, various equipment will be purchased for use by the inter-municipal Hostage Response Team, Emergency Task Force and the Surveillance and Electronic Support Team. No match is required for this funding, which expires June 30, 2008.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-59  
(Int. No. 51)

Authorizing An Application And Agreement For A Buffer Zone  
Protection Program Grant And Amending The 2006-07 Budget

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BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Office of Homeland Security for funding under the Buffer Zone Protection Program for equipment to help protect critical infrastructure sites.

Section 2. Ordinance No. 2006-191, the 2006-07 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital Allocation by the sum of \$189,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 3. The application and agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2007-60  
(Int. No. 52)

Authorizing An Application And Agreement For A Metropolitan  
Medical Response System Program Grant And Amending The 2006-  
07 Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Office of Homeland Security for funding under the Metropolitan Medical Response System Program for the Rochester Fire Department.

Section 2. Ordinance No. 2006-191, the 2006-07 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Fire Department by the sum of \$59,100, and to Undistributed Expense by the sum of \$8,200, which amounts are hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 3. The application and agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2007-61  
(Int. No. 53)

Authorizing An Application And Agreement For A State Urban  
Area Supplemental Program Grant And Amending The 2006-07  
Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to submit an application to and/or enter into an agreement with the New York State Office of Homeland Security and the County of Monroe for funding under the State Urban Area Supplemental Program for security measures at City Hall and the Public Safety Building.

Section 2. Ordinance No. 2006-191, the 2006-07 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital

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allocation by the sum of \$280,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 3. The application and agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

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By Councilmember Pritchard  
February 13, 2007

To the Council:

The Jobs, Economic Development & Center City Committee recommends for adoption the following entitled legislation:

Int. No. 54 - Establishing Maximum Compensation For An Agreement For The Rochester International Jazz Festival And Amending The 2006-07 Budget

Int. No. 55 - Establishing Maximum Compensation For A Professional Services Agreement For A Center City Parking Study And Amending The 2006-07 Budget

Int. No. 56 - Transferring And Appropriating Funds For The Business Association Support Program

Int. No. 57 - Authorizing An Agreement With The Rochester & Monroe County Employees Federal Credit Union For The Lease Of Commercial Space In The Sister Cities Parking Garage

Respectfully submitted,  
William F. Pritchard  
Dana K. Miller  
Gladys Santiago  
JOBS, ECONOMIC DEVELOPMENT & CENTER CITY COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-62  
Re: Agreement - Rochester International  
Jazz Festival

Transmitted herewith for your approval is legislation establishing \$250,000 as maximum compensation for an agreement with Rochester International Jazz Festival, LLC (RIJF) for City sponsorship of the 2007 festival; and amending the 2006-07 Budget by transferring \$180,000 from Contingency to the Department of Recreation and Youth Services. The agreement will be funded from the 2006-07 Budget of DRYS (\$215,000) and the Mayor's Office (\$35,000).

The 2006 legislation was approved through ordinance 2006-78.

The Rochester International Jazz Festival (RIJF) has quickly become one of the nation's most popular and most respected music festivals. Attendance has grown from 15,000 in its first year, 2002, to 80,000 in 2006, and represents music lovers from throughout the country and several foreign countries. RIJF is held at multiple venues within walking distance of each other in Rochester's East End Cultural District.



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The Festival consistently delivers multi-dimensional, multi-cultural programs ranging from legendary performers and familiar favorites to rising stars and new discoveries. The festival navigates several genres of creative improvised music from all corners of the world.

For the 2006 Festival, the City provided \$35,000 to fund the free performance segment of the International Jazz Festival. The funding increase for 2007 reflects the recognition that RIJF stimulates tourism and economic development in the Rochester area. This level of sponsorship will also provide several opportunities for the City to be acknowledged as a contributor and supporter, thereby growing our image as a cultural destination.

The 2007 festival will be held June 8 through 16, 2007.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-21

Ordinance No. 2007-62  
(Int. No. 54)

Establishing Maximum Compensation For An Agreement For The  
Rochester International Jazz Festival And Amending The 2006-07 Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$250,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and the Rochester International Jazz Festival, LLC, (RIJF) for the 2007 Rochester International Jazz Festival. Of said amount, \$215,000 shall be funded from the 2006-07 Budget of the Department of Recreation and Youth Services and \$35,000 shall be funded from the 2006-07 Budget of the Office of the Mayor.

Section 2. Ordinance No. 2006-191, the 2006-07 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$180,000 from the Contingency Account to the Department of Recreation and Youth Services to fund the agreement authorized herein.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-63  
Re: Center City Parking Study

Transmitted herewith for your approval is legislation establishing \$80,000 as maximum compensation for an agreement with Walker Parking Consultants to conduct a Downtown Parking Study; appropriating \$80,000 from a Federal Highway Administration grant administered through the Genesee Transportation Council (GTC) to fund the agreement; and amending the 2006-07 Budget of the Department of Economic Development to reflect the receipt and use of the grant.

Walker Parking Consultants will provide a comprehensive inventory and analysis of the existing parking supply and parking demand in Rochester's Center City as it relates to new residential and mixed-use developments being proposed. With the recent activity of development downtown, the potential to build, renovate, manage, provide, and maintain parking facilities in a customer responsive, long term, cost effective manner will be explored.

A detailed scope of work developed by the City and the Rochester Downtown Development Corporation was approved by GTC in July 2006.

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A request for proposal (RFP), based on the approved scope of services, was issued and advertised through the New York State Contract Reporter. Eight responses were received and reviewed by an inter-departmental committee of five persons. After review of the written proposals and interviews with the top four candidates, the review committee agreed unanimously to recommend Walker Parking Consultants for this project.

The study is expected to be completed by September 2007.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-22

Ordinance No. 2007-63  
(Int. No. 55)

Establishing Maximum Compensation For A Professional Services  
Agreement For A Center City Parking Study And Amending The  
2006-07 Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$80,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Walker Parking Consultants for a Center City Parking Study. Said amount shall be funded from the 2006-07 Budget of the Economic Development Department, Parking Fund.

Section 2. Ordinance No. 2006-191, the 2006-07 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Economic Development Department, Parking Fund, by the sum of \$80,000, which amount is hereby appropriated from anticipated reimbursements from the Federal Highway Administration administered through the Genesee Transportation Council.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-64  
Re: CDBG Transfer - Business Association  
Support

Transmitted herewith for your approval is legislation authorizing the transfer of \$15,000 from the Other Program Allocation/Indirect Cost Account of the 2005-06 Community Development Program to the Business Association Support Program of the Promoting Economic Stability allocation, and appropriating those funds for additional management services for the Thurston Road Commercial District.

The Business Association Support Program provides funds to business associations for improvement and promotions. These funds are being used on a trial basis to support the Thurston Road Commercial District by enhancing their neighborhood street manager position.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AG-23

Tuesday, February 13, 2007

Ordinance No. 2007-64  
(Int. No. 56)

Transferring And Appropriating Funds For The Business  
Association Support Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$15,000 is hereby transferred from the Other Programs allocation to the Promoting Economic Stability allocation of the 2005-06 Community Development Program, and said amount, or so much thereof as may be necessary, is hereby appropriated to additionally fund the Business Association Support Program as authorized in Ordinance No. 2005-154.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2007-65  
Re: Lease Agreement - Rochester and  
Monroe County Employees Federal  
Credit Union - Sister Cities Garage

Transmitted herewith for your approval is legislation authorizing a new lease agreement with the Rochester and Monroe County Employees Federal Credit Union for commercial space in the Sister Cities parking garage.

The Credit Union's main office is at 460 North Goodman Street; there are branch offices at Park Ridge Hospital, St. John's Nursing Home, and in the City of Canandaigua. The Credit Union has operated the Sister Cities garage branch since 1996, and will continue to operate between 10:00 a.m. and 3 p.m., Monday through Friday, with a manager and a customer service representative. Services will include: checking and savings accounts; auto and home mortgage loans; Visa and ATM services.

The Credit Union will lease 1,023.5 square feet of space for \$700 per month. This amount is based on an independent appraisal conducted by Bruckner, Tillett, Rossi, Cahill & Associates on January 19, 2007 and is at market rate. The term of the lease will be for five years, with an option to renew for an additional five years. The rent for the five-year extension term shall be calculated as follows: five-year total for the base rent (\$42,000) multiplied by the percent change, if positive, in the Urban Consumer Price Index.

The tenant will be responsible for all utilities, maintenance and minor repairs, trash removal, and appropriate liability insurance.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2007-65  
(Int. No. 57)

Authorizing An Agreement With The Rochester & Monroe County  
Employees Federal Credit Union For The Lease Of Commercial  
Space In The Sister Cities Parking Garage

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester & Monroe County Employees Federal Credit Union for the lease of approximately 1,023.5 square feet of space in the Sister Cities Parking Garage for a term of five years, with an option to renew for an additional five years. The Council finds that the term of the lease is reasonable and necessary in light of its

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intended purpose and the public will benefit throughout the term of the lease.

Section 2. The agreement shall obligate the Credit Union to pay to the City the sum of \$700 per month in rent for the initial term. Rent during the renewal term shall be increased in accordance with any increase in the urban consumer price index during the initial term. In addition, the tenant shall be responsible for all utilities, maintenance and minor repairs, trash removal, and the cost of liability insurance.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 9:15 P.M.

DANIEL B. KARIN  
City Clerk